

AMOUNT \$ 250
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LOCAL RULE 4.1 _____
WAIVER FORM _____
MCF ISSUED _____
BY DPTY. CLK. fn
DATE 6-1-05

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

NANCY S. MacDONALD

Plaintiff,

v.

COMMONWEALTH RECEIVABLES, INC.

and CHAD E. GOLDSTONE,

Defendants.

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05 CV 11136 RWZ

COMPLAINT

INTRODUCTION

MAGISTRATE JUDGE Sorokin

1. This is an action for damages brought by an individual consumer for Defendants' violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d) and 28 U.S.C. §§ 1331 and 1337.

PARTIES

3. Plaintiff, Nancy S. MacDonald, is a natural person residing in Arlington, Massachusetts.

4. Defendant Commonwealth Receivables, Inc. (hereafter "Commonwealth") is a Massachusetts corporation with a place of business in Watertown, Massachusetts, and is engaged in the business of collecting debts in Massachusetts.

5. On information and belief, Commonwealth buys charged-off debts in bulk from

prior assignees of the original creditors after default for a small percentage of the amount of the debts and then attempts to collect the full face amount of the debts from consumer debtors in Massachusetts.

6. Commonwealth regularly attempts to collect debts alleged to be due another and is a debt collector as that term is defined in FDCPA § 1692a(6).

7. Commonwealth uses the mails in a business the principal purpose of which is the collection of consumer debts.

8. On information and belief, at all relevant times, Commonwealth was required by M.G.L. ch. 93 §§ 24-28 to be licensed as a debt collector with the Massachusetts Division of Banks in order to collect debts within Massachusetts.

9. On information and belief, at all relevant times, Commonwealth was not licensed as a debt collector with the Massachusetts Division of Banks.

10. Defendant Chad E. Goldstone (hereafter“Goldstone”) is a natural person and is the President, Treasurer, Secretary and sole Director of Commonwealth.

11. Goldstone regularly attempts to collect debts alleged to be due another and is a debt collector as that term is defined in FDCPA § 1692a(6).

12. Goldstone uses the mails in a business the principal purpose of which is the collection of consumer debts.

13. On information and belief, at all relevant times, Goldstone was required by M.G.L. ch. 93 §§ 24-28 to be licensed as a debt collector with the Massachusetts Division of Banks in order to collect debts within Massachusetts.

14. On information and belief, at all relevant times, Goldstone was not licensed as a debt collector with the Massachusetts Division of Banks.

15. On information and belief, Defendant Commonwealth is the alter ego of Goldstone and is inadequately capitalized, does not observe corporate formalities, does not pay dividends, lacks sufficient corporate records, has no functioning directors and has only one person, Goldstone, in the position of its officers who does not function as such. On information and belief Defendant Commonwealth's dominant shareholder, Goldstone, siphons away the corporate assets and uses the corporation in promoting fraud.

16. Defendants represent to the public, through information listed with the Massachusetts Secretary of the Commonwealth, that Defendant Goldstone's address is 45A Flanagan Drive, Framingham, Massachusetts.

17. In fact, on information and belief, Goldstone has not been at that address since approximately mid-2004.

FACTUAL ALLEGATIONS

18. On or about May 27, May 31, August 30, September 26, 2004 and March 4, 2005, Defendants mailed virtually identical form letters to Plaintiff in their attempt to collect an alleged debt to Providian Bank (hereafter "debt"). Copies of these letters are attached hereto as **Exhibits 1 through 5**, respectively.

19. On information and belief, Defendants purchased the debt from a prior assignee of the original creditor.

20. The debt was previously paid and settled by agreement between Plaintiff and Providian Bank, the original creditor.

21. Exhibits 1 through 5 are written beneath Defendant Commonwealth's letterhead and either signed or purportedly signed by Chad Goldstone as either "Legal Coordinator" or "President."

22. Exhibits 1 through 5 are addressed to both “Nancy S. Mac Ippald” and “Nancy S. MacDonald.”

23. Exhibits 1 through 5 state that “. . . **THIS OFFICE HAS FILED A SUIT AGAINST YOU IN THE BOSTON MUNICIPAL COURT.** In the weeks to come, you will be receiving both registered and regular mail from the BOSTON MUNICIPAL COURT summoning you to appear for trial.”

24. Exhibits 1 through 5 also each state that \$1988.84 is “due and owing Commonwealth Receivables” on the debt.

25. Exhibits 1 through 5 also each state, “In a final attempt to resolve this matter amicably and without further costs to you, we urge you to contact this office at your earliest convenience. Our representatives are willing to work with you on this matter so that **your appearance in court may not be necessary.** However, failure to contact this office to resolve this matter will result in our pursuing any and all remedies available.”

26. On or about April 22, 2005, Defendants filed an action against Plaintiff in Small Claims Division of the Cambridge, Massachusetts district court in an attempt to collect the debt, alleging that Plaintiff owed Defendants \$1,969.84 plus \$40.00 court costs (hereafter “small claims lawsuit”).

27. On or about April 26, 2005, Defendants mailed a form letter to Plaintiff, in their attempt to collect the debt. A copy of this letter is attached hereto as **Exhibit 6.**

28. Exhibit 6 is written beneath Defendant Commonwealth’s letterhead with “Chad Goldstone” written beneath the complimentary closing and the title of “President” written beneath that.

29. Exhibit 6 contains Plaintiff’s name on the inside address and the name of Nancy

Mac Ippald in the salutation.

30. Exhibit 6 states that \$2009.84 is “due and owing Commonwealth Receivables” on the debt.

31. Exhibit 6 also states “In a final attempt to resolve this matter amicably and without further costs to you, we urge you to contact this office at your earliest convenience.”

32. On or about April 26, 2005, Defendants mailed another form letter to Plaintiff, in their attempt to collect the debt. A copy of this letter is attached hereto as **Exhibit 7**.

33. Exhibit 7 is written beneath Defendant Commonwealth’s letterhead and signed by Chad Goldstone as “President.”

34. Exhibit 7 states that \$2009.84 is “due and owing Commonwealth Receivables” on the debt.

35. Exhibit 7 also states, “In a final attempt to resolve this matter amicably and without further costs to you, we urge you to contact this office at your earliest convenience. Our representatives are willing to work with you on this matter so that **your appearance in court may not be necessary.** However, failure to contact this office to resolve this matter will result in our pursuing any and all remedies available.”

36. On or about April 27, 2005, Defendants mailed a form letter to Plaintiff, in their attempt to collect the debt. A copy of this letter is attached hereto as **Exhibit 8**.

37. Exhibit 8 is written beneath Defendant Commonwealth’s letterhead and signed by Chad Goldstone as “President.”

38. Exhibit 8 states that \$2009.84 is “due and owing Commonwealth Receivables” on the debt.

39. Exhibit 8 also states “In a final attempt to resolve this matter amicably and

without further costs to you, we urge you to contact this office at your earliest convenience.”

40. Plaintiff never received any mail from the Boston Municipal Court.

41. On information and belief, Defendants never filed suit against either Plaintiff or any “Nancy Mac Ippald” in Boston Municipal Court.

42. On information and belief, the amount \$1988.84 stated in Exhibits 1 through 5 included small claims court costs (at one time, \$19.00) or other unspecified charges.

43. On information and belief, the amount \$2009.84 stated in Exhibits 6 through 8 included small claims court costs (\$40.00) or other unspecified charges.

44. On information and belief, none of Exhibits 1 through 8 were Defendants’ “final” attempt to do anything.

45. Exhibits 1 through 5 and Exhibit 7 imply that if Plaintiff contacted Defendants to make payment arrangements, she would not have to appear in court and she would incur no additional costs.

46. In fact, Exhibits 1 through 5 and Exhibit 7 are designed to mislead debtors into failing to appear in court for the trial date and subsequent hearing dates, believing that the case is being continued because they have agreed to make payments so that Defendants can, unknown to the debtors, easily obtain default judgments and writs of execution under the informal procedures and relaxed rules of small claims court and use them as tools against debtors to force them to make payments to Defendants, depriving debtors of their day in court.

47. On information and belief, the last payment made on the debt was more than six years before Defendants filed suit against Plaintiff on the debt in the small claims lawsuit.

CAUSE OF ACTION

48. Plaintiff realleges paragraphs 1 through 47 above.

49. Defendants have violated the FDCPA. Defendants' violations include, but are not limited to, the following:

- a. False and misleading representations of compensation which may lawfully be received by Defendants for collection of the debt, in violation of FDCPA § 1692e, 1692e(2)(B) and 1692e(10);
- b. Collection of an amount that is not expressly authorized by the agreement creating the debt or permitted by law, in violation of FDCPA § 1692f and 1692f(1);
- c. False and misleading representations that Defendants had already sued Plaintiff almost one year before Defendants actually sued Plaintiff, in violation of FDCPA § 1692e and 1692e(10);
- d. False and misleading representations that Defendants had sued Plaintiff in Boston Municipal Court, in violation of FDCPA § 1692e and 1692e(10);
- e. False and misleading representations Plaintiff would be receiving mail from the Boston Municipal Court in the near future summoning her to trial, in violation of FDCPA § 1692e and 1692e(10);
- f. The threat to take action which was not intended, including legal action, in violation of FDCPA § 1692e, 1692e(5) and 1692e(10);
- g. False and misleading representations and implications as to the character, amount and legal status of the debt, in violation of FDCPA § 1692e, 1692e(2)(A) and 1692e(10);
- h. False and misleading representations and implications that documents do not require action by Plaintiff, in violation of FDCPA § 1692e, 1692e(15) and 1692e(10) and 1692f;

- i. False and misleading representations and implications that Exhibits 1 through 8 are Defendants' a final attempt, in violation of FDCPA § 1692e and 1692e(10);
- j. The failure to disclose in Exhibits 1 through 8 that the communications are from a debt collector, in violation of FDCPA § 1692e and 1692e(11);
- k. False and misleading representations and implications that Defendant Goldstone's address is 45A Flanagan Drive, Framingham, Massachusetts, in violation of FDCPA § 1692e and 1692e(10);
- l. False and misleading representations and implications that Defendant is entitled to collect debts in the Commonwealth of Massachusetts, in violation of FDCPA § 1692e and 1692e(10);
- m. Use of false, deceptive and misleading representations or means in connection with the collection of a debt, in violation of FDCPA §§ 1692e and 1692e(10); and
- n. Use of unfair or unconscionable means to collect or attempt to collect the alleged debt, in violation of FDCPA § 1692f.

PLAINTIFF'S DAMAGES

50. As a result of Defendants' violations of the FDCPA described above, the Plaintiff suffered actual damages, including emotional distress.

51. Defendants intended to cause Plaintiff emotional distress by their actions and conduct described herein.

52. Plaintiff is entitled to her actual damages, pursuant to FDCPA § 1692k(a)(1).

53. Plaintiff is also entitled to an award of statutory damages, FDCPA §

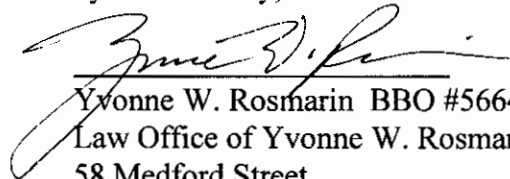
1692k(a)(2)(A).

54. Plaintiff is entitled to her costs and attorney's fees pursuant to FDCPA § 1692k(a)(3).

WHEREFORE, Plaintiff respectfully requests that this Court:

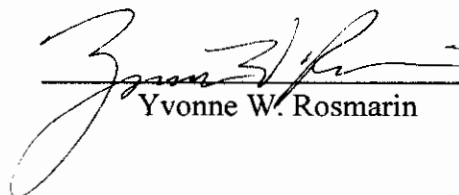
- A. Enter judgment for the Plaintiff and against Defendants in the amount of her actual damages;
- B. Enter judgment for the Plaintiff and against Defendant for \$1,000 statutory damages pursuant to 15 U.S.C. § 1692k;
- C. Award the Plaintiff her costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3);
- D. Grant such other and further relief as may be just and proper.

Nancy S. MacDonald, Plaintiff
by her Attorney,


Yvonne W. Rosmarin BBO #566428
Law Office of Yvonne W. Rosmarin
58 Medford Street
Arlington, MA 02474
781-648-4040

JURY DEMAND

Plaintiff demands trial by jury.


Yvonne W. Rosmarin

Commonwealth Receivables, Inc.

po box 1370, framingham, ma 01701 / tel. 508-788-9269 / toll free 888-267-6880 / fax 508-788-6938

EXTENDED HOURS:

mon-fri 8:00 a.m. – 8:00 p.m.

saturday 9:00 a.m. 5:00 p.m.

600837 .

NANCY S MAC IPPALD
NANCY S MACDONALD
81 EVERETT ST
ARLINGTON MA 02474

May 27, 2004

Re: \$1988.84 due and owing Commonwealth Receivables on
Providian Bank Visa Card #4479-4804-0115-4909

Our File #: C-600837

Dear Nancy S Mac Ippald:

PLEASE BE ADVISED THAT THIS OFFICE HAS FILED A SUIT AGAINST YOU IN THE BOSTON MUNICIPAL COURT.

In the weeks to come, you will be receiving both registered and regular mail from the BOSTON MUNICIPAL COURT summoning you to appear for trial.

In a final attempt to resolve this matter amicably and without further costs to you, we urge you to contact this office at your earliest convenience.

Our representatives are willing to work with you on this matter so that your appearance in court may not be necessary. However, failure to contact this office to resolve this matter will result in our pursuing any and all remedies available.

This letter and all communications from this office are attempts to collect the debt owed and any and all information obtained will be used for that purpose.

Sincerely,

Chad Goldstone

Chad Goldstone
Legal Coordinator

L125

EXHIBIT 1

Commonwealth Receivables, Inc.

po box 1370, framingham, ma 01701 / tel. 508-788-9269 / toll free 888-267-6880 / fax 508-788-6938

EXTENDED HOURS:

mon-fri 8:00 a.m. – 8:00 p.m.

saturday 9:00 a.m. 5:00 p.m.

600837.

NANCY S MAC IPPALD
NANCY S MACDONALD
81 EVERETT ST
ARLINGTON MA 02474

May 31, 2004

Re: \$1988.84 due and owing Commonwealth Receivables on
Providian Bank Visa Card #4479-4804-0115-4909

Our File #: C-600837

Dear Nancy S Mac Ippald:

PLEASE BE ADVISED THAT THIS OFFICE HAS FILED A SUIT AGAINST YOU IN THE BOSTON MUNICIPAL COURT.

In the weeks to come, you will be receiving both registered and regular mail from the BOSTON MUNICIPAL COURT summoning you to appear for trial.

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This letter and all communications from this office are attempts to collect the debt owed and any and all information obtained will be used for that purpose.

Sincerely,

Chad Goldstone

Chad Goldstone
Legal Coordinator

JS 44
(Rev. 07/89)

CIVIL COVER SHEET

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

Nancy S. MacDonald

DEFENDANTS

Commonwealth Receivables, Inc. and
Chad E. Goldstone(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Middlesex
(EXCEPT IN U.S. PLAINTIFF CASES)COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Yvonne W. Rosmarin
Law Office of Yvonne W. Rosmarin
58 Medford Street
Arlington, MA 02474 781-648-4040

ATTORNEYS (IF KNOWN)

05 cv 11136 RWZ

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

V. NATURE OF SUIT (PLACE AN x IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/ PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Personal Injury	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 426 Trademark	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 427 Copyrights	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 640 R. R. & Truck	<input type="checkbox"/> 430 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 440 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 440 Social Security	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability		<input type="checkbox"/> 690 Other	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 160 Stockholders, Suits	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 190 Other Contract				<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 892 Economic Stabilization Act
				<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 Environmental Matters
					<input type="checkbox"/> 894 Energy Allocation Act
					<input type="checkbox"/> 895 Freedom of Information Act
					<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
					<input type="checkbox"/> 950 Constitutionality of State Statutes
					<input checked="" type="checkbox"/> 890 Other Statutory Actions

VI. ORIGIN

(PLACE AN x IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER FR.C.P. 23

DEMAND \$

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NOVIII. RELATED CASE(S) (See instructions):
IF ANY

JUDGE _____ DOCKET NUMBER _____

DATE

May 31, 2005

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT.
DISTRICT OF MASSACHUSETTS

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) Nancy S. MacDonald v. Commonwealth
Receivables, Inc.

2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMZERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).

- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- X II. 195, 369, 400, 440, 441-444, 540, 550, 625, 710, 720, 730,
740, 790, 791, 820, 830, 840, 850, 890, 892-894, 895, 950.
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310,
315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371,
380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660,
690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.

3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(E)).

None

4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?
No

5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? No

IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY? (SEE 28 USC 2403)

6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC 2284? No

7. DO ALL PARTIES IN THIS ACTION RESIDE IN THE CENTRAL SECTION OF THE DISTRICT OF MASSACHUSETTS (WORCESTER COUNTY) - (SEE LOCAL RULE 40.1(C)). YES No OR IN THE WESTERN SECTION (BERKSHIRE, FRANKLIN, HAMPDEN OR HAMPSHIRE COUNTIES)? - (SEE LOCAL RULE 40.1(D)). YES No

8. DO ALL OF THE PARTIES RESIDING IN MASSACHUSETTS RESIDE IN THE CENTRAL AND/OR WESTERN SECTIONS OF THE DISTRICT? YES No (a) IF YES, IN WHICH SECTION DOES THE PLAINTIFF RESIDE?

9. IN WHICH SECTION DO THE ONLY PARTIES RESIDING IN MASSACHUSETTS RESIDE? Eastern

10. IF ANY OF THE PARTIES ARE THE UNITED STATES, COMMONWEALTH OF MASSACHUSETTS, OR ANY GOVERNMENTAL AGENCY OF THE U.S.A. OR THE COMMONWEALTH, DO ALL OTHER PARTIES RESIDE IN THE CENTRAL SECTION N/A OR WESTERN SECTION N/A

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Yvonne W. Rosmarin

ADDRESS Law Office of Yvonne W. Rosmarin, 58 Medford Street, Arlington, MA 02474

TELEPHONE NO. 781-648-4040